

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EMMANUEL F. STOCKER and  
LEONETTE STOCKER

v.

GREEN, TWEED & CO., INC.

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CIVIL ACTION

NO. 18-4503

**ORDER**

**AND NOW**, this 31st day of July, 2020, upon consideration of Defendants' Motion for Summary Judgment (Docket No. 28), all documents filed in connection therewith, and the Hearing held on June 16, 2020, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

1. The Motion is **GRANTED** with respect to: (1) Stocker's claim of race discrimination in violation of Title VII in Count I with respect to all adverse employment actions except for the termination of his employment on March 7, 2017 and his claim that he was subjected to a hostile work environment; (2) Stocker's claims of discrimination in violation of the ADA in Count II; (3) Stocker's claim of retaliation in violation of Title VII and the ADA in Count III; (4) Stocker's claims of discrimination and retaliation in violation of the PHRA in Count V; and (5) Mrs. Stocker's loss of consortium claim in Count VI.

2. The Motion is **DENIED** as to: (1) Stocker's claim in Count I that he was subjected to race discrimination in violation of Title VII resulting in his March 7, 2017 termination; (2) Mr. Stocker's claim in Count I that he was subjected to a hostile work environment on the basis of his race in violation of Title VII; and (3) Mr. Stocker's claim in Count IV that he was retaliated against in violation of the FMLA.

3. Counts II, III, V, and VI are **DISMISSED**.

BY THE COURT:

/s/ John R. Padova

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John R. Padova, J.